

PURPOSE OF A DISCIPLINARY CODE



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Employees have an obligation to make their personal services available to the employer and to do so with due

diligence, competence, and good faith within the employment relationship. In terms of the contract, the employee will perform their work in line with the conditions as specified therein and follow instructions given to them by their employer.

A great tool to further regulate compliance with the contract of employment is by way of company policies and procedures and then especially a disciplinary code and procedure.

The purpose of a disciplinary code and procedure is to regulate the standards of conduct of employees within a company or organisation. The aim of a workplace disciplinary code is to provide mechanisms



to correct unacceptable behaviour and to create certainty and consistency in the application of discipline. It spells out how the organisation will deal with any occurrences of misconduct and gives guidelines as to the disciplinary measures which may be imposed.

The disciplinary code must be drafted in clear and unambiguous terms to ensure that the employee

is certain as to what is expected of them. By taking the time to draft a fair and effective code, employers can help to create a more harmonious and productive workplace.

The two parties to the disciplinary code are the employee and the employer. The role of the employer is to ensure that all employees are made aware of the disciplinary code

and the standards set around behaviour in the workplace.

The second party is the employee who is expected to comply with the disciplinary code and disciplinary procedures. In addition, it is also the responsibility of the employee to ensure that he or she is knowledgeable in terms of the disciplinary code and disciplinary procedures.

Disciplinary codes must always be used as guidelines and should not be applied rigidly. The facts and circumstances of each matter must be considered when deciding on the correct course of action. The key principle of the Code is that the employer and the employees should treat each other with mutual respect. It's an unfortunate fact that every business owner will have to deal with workplace misconduct at some point. A well-established and legally compliant disciplinary code is essential for effectively addressing workplace misconduct.

Please do not hesitate to contact us should you need assistance to review your current disciplinary code and procedure or need to introduce a disciplinary code and procedure in your business. ■

Contact LabourNet now or for additional information, view our socials – Facebook, LinkedIn, Instagram and YouTube.

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DEDICATION PAYS OFF

Isaac Mbatha's journey to success proves that dedication pays off. Mbatha, the CEO of Sky Tents, was one of ten Black Industrialists recognised at an awards ceremony held at the Sandton International Convention Centre in March 2024. The awards ceremony formed part of the 2nd Black Industrialists and Exporters Conference.

Held under the theme Black Industrialists-Catalysing Economic Growth and Jobs, the awards, were aimed at recognising the contribution of Black Industrialists towards driving economic growth, social transformation and in advancing inclusive entrepreneurship in the South African economy. More than 200 entries were received across a range of industry sectors.

The awards were presented by President Cyril Ramaphosa who in his key note address at the conference said: "At the heart of every successful industrialist lies a spirit of innovation and creativity. Whether it is in technology, manufacturing, agriculture or services, they have shown that excellence knows no bounds and that Africa is

a continent brimming with untapped potential and ingenuity."

Mbatha is no stranger to award ceremonies as his endeavours have previously been recognised. In addition to this award, he was recognised by the Forbes Africa 30 Under 30 list in 2019. In 2022, he won the Standard Bank KZN Top Business Entrepreneur award for resilience and in 2023 the Standard Bank Client of the Year award in the SME category.

Building on two decades of combined experience, Sky Tents has expanded from its Pinetown head office to include nine branches across South Africa and the company employs around 60 people.

While Mbatha is delighted to be recognised for his efforts, he believes that he can achieve more. He explained, "Every level is a new ball game, a new figure. I feel like currently where I am, I'm just touching the surface of manufacturing and what can be done."

He added, "I think my purpose now in life is to continue to grow an incredible company. I would like to become a better leader for my staff, clients, and suppliers. I

would like to encourage people and show that it is possible to achieve in life. People say it's hard or you need capital or whatever, but you've got to start somewhere. My purpose is forcibly pushing on, making people grow and looking for a better future."

In his closing comments, President Ramaphosa said, "I congratulate all the Black Industrialists being honoured today for their outstanding contributions to our economy and society. Your resilience, innovation and vision inspire us all to reach greater heights and build a brighter future for generations to come."

With a dynamic entrepreneur such as Mbatha at the helm, there is no doubt that the company will continue to grow and develop for many years to come. ■

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